Scott. M-48—38,706—27-11-23.

Law (General)

(1924.) Department.

Misc SERIES.

G.O. No: 1635

DATED 24th May 1924.

Rs 2.00
18-7-24

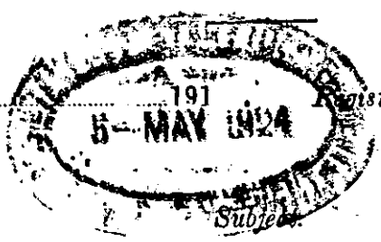
[Despatch Abstract.]

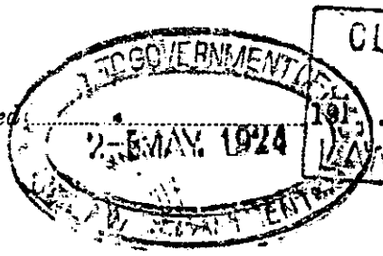
Motor Vehicles Act - License - Cancellation

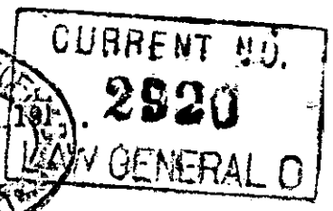
Hasan Sahib - South Kanara District.

LAW (GENERAL) **DEPARTMENT.**

C.F.—20







Received ..... *Registered* .....

Motor accident and inhuman conduct - Buntwal road - 25.3.1924 - Driver, Popular Motor Service - Hassan Saiba - Cancellation of license - recommended.

Enclosures
No.
Spare copies

Ref. No. 4724-C-24.

Station Sullya, *Dated the* 28th April 1924.

From (Name) C.A. Souter, Esquire, I.C.S.,

(Designation) District Magistrate, South Kanara.

To The Secretary to the Government of Madras,

Law (General) Department,

Ootacamund.

Sir,

At about 4 P.M. on 25th March 1924 a blind Muhammadan woman and a girl aged about 7 were going along the road about 1 mile from Buntwal. The girl was carrying a bundle of firewood. It appears that the bundle came in contact with a Bus driven by one Hassan Saiba and that the girl was knocked down. The driver of the Bus appears to have stopped, got down and looked at the girl. He then drove on to Buntwal, reported the accident at the station and proceeded to Beltangady. He stated that the girl had only a slight scratch.

2. Another Bus belonging to a different Company which followed picked up the girl and brought her to Buntwal. The back wheel of the previous Bus had run over her legs which the District Medical and Sanitary Officer subsequently described as being pulped. The Sub-Assistant Surgeon at Buntwal could do nothing and so the girl was sent by boat to Mangalore Hospital where she died. If the girl had been brought in at once she might have been saved; but septic poisoning had set in.

3. So far as the knocking down of the girl is concerned, no blame appears to attach to the driver Hassan Saiba. It was a pure accident. I consider, however, that his subsequent inhuman conduct was such as to render him unfit to be a driver of a public conveyance. He must have seen that this little girl was terribly wounded and his brutality in leaving her lying on the road in such a state and in reporting that she had received only a slight scratch is unpardonable. If he had only done what any ordinary human being would have done, he might have saved the girl's life.

I consider that he should be debarred from driving a motor vehicle. If Government agrees with my view, I request that orders may be passed cancelling his license under Section 18 of Motor Vehicles Act No.VIII of 1914.

Your obedient servant

30.4.24

For Dt. Magistrate.

M.S.R./30.4.24.

30.4.24

3/ Law (General) Dept.

C.No. 2920C. From the D.M. S. Kanara, Ref. No. 4724-C-24 dated 28th April 1924.

14-1-2 CF

Subject:- Cancellation of licence under the Motor Vehicles Act

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A.S.

The cancelling and disqualifying powers of the Government in regard to the drivers' licence issued under the Indian Motor Vehicles Act, 1914 are contained in sub-section (1) of section 18 of the Act.

14-1-2 CF

2. A perusal is solicited to paras. 1-5 of the D.M's letter. The blame of the driver lies in the fact that he failed to bring the girl to the hospital immediately on detecting that the girl was injured. The D.M. states that if the girl had been brought into the hospital at once she might have been saved.)

14-2 CF

3. (He therefore considers that he should be debarred from driving a motor vehicle. Subject to --- approval a draft is submitted.

In the present case the facts do not appear to warrant the extreme punishment of permanently debarring the driver from driving a motor vehicle. It is conceded that the knocking down of the girl was a pure accident and that no blame attached to the driver he has not, accdg. been prosecuted Immediately after the accident, he stopped, got down and looked at the

N.D. 13.5.24

BJR 14.5.24

4 / 8

the girl. He duly reported the accident at the Station, Bunbur He reported that the girl had only a scratch. In this he was wrong It may be that he made bonafide mistake or made a false report wilfully. Having regard to his conduct in other respects it is just possible that he made a mistake and that he did not bestow sufficient Care and attention in examin the girl. In these circumstan perhaps disqualification for a particular period eg 3 years may be sufficient

There can be no doubt that it was wilfully false V.T.K

The man's conduct was very bad. I think ~~the~~ the disqua- -lification should be permanent V.T.K

S V.T.K 15/5

C.P.S. 14.5.24

C3/ I agree with the Law Secy and approve the draft The man's conduct was atrocious

COOL 16/5/24

Draft wps 15/5

Sectt. II—10(b) 14,002—19-4-13.

5/ Law (General) DEPARTMENT.

Motor Vehicles Act

License — Cancellation of ~~Licence~~ — Hasan Saiba - S Kanara Dt —

READ AGAIN G.O. No. ....., dated ..... 19 .

" " " " ....., " ..... 19 .

READ ALSO:—

C. No. 2920 C, From the D.M.S.Kanara Ref. No. 4724-C-24 dated 28-4-24 19 Jo 1-2 CP

" " , " " ....., " ....., " 19

" " , " " ....., " ....., " 19

ORDER. No. 1635, dated 20.5. 1924

Misc

for a precedent
Jo 2302
18.9.22

Under clause (ii) of ~~the~~ sub-section (1) of section 18 of the Motor Vehicles Act, 1914 (VIII of 1914) the Governor in Council hereby ~~directs~~ declares that ~~the driver's licence held by~~ Hassan Saiba, a licensed motor car driver in the district of South ~~of South~~ Kanara, is disqualified permanent from obtaining a licence under the said Act and orders that the licence ~~if any~~ already held by him be cancelled.

To the D.M. S.Kanara
" Commr. of Police
" other D.Ms.
" I.G. of Police
" S.G.P. for publication of order.

13.5.24

14.5.24

V.T.K.
15.5

ed 20/5

Accepted 20/5.